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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,954	07/22/2003	Steffen Derhardt	A-3772	6281
24131 7590 09/21/2007 LERNER GREENBERG STEMER LLP P O BOX 2480 HOLLYWOOD, FL 33022-2480			EXAMINER CULLER, JILL E	
			ART UNIT 2854	PAPER NUMBER
			MAIL DATE 09/21/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/624,954	Applicant(s) DERHARDT, STEFFEN	
	Examiner Jill E. Culler	Art Unit 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 1,542,027 to Blaine in view of U.S. Patent No. 6,490,974 to Wadlinger et al.

With respect to claim 1, Blaine teaches a device for starting or throwing-on and discontinuing or throwing-off printing in a printing press comprising: an impression cylinder; at least one of a form and a blanket cylinder, 10, 11; an applicator roller, 14, a roller throw-on and throw-off bearing for throwing said applicator roller on and off, said at least one of said form and said blanket cylinder, said roller throw-on and throw-off bearing including a rotatably mounted first actuating element; a cylinder throw-on and throw-off bearing for throwing said at least one of said form and said blanket cylinder on and off said impression cylinder, said cylinder throw-on and throw-off bearing including a rotatably mounted second actuating element; a coupler, 13, forming a coupler mechanism together with said first and said second actuating elements. See page 1, lines 32-107 and the Figures.

Blaine does not teach a thrust joint having a dead thrust travel and articulately connecting one of said actuating elements to said coupler.

Wadlinger et al. teaches a device for throwing-on and throwing-off a press element in a printing press including a thrust joint, 29, having a dead thrust travel and articulately connecting an actuating element to a coupler, 28. See column 6, lines 41-64 and Fig. 6.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the apparatus of Blaine to include the thrust joint of Wadlinger et al. in order to better control the positioning of the coupler mechanism.

With respect to claim 2, Blaine teaches the first actuating element is an eccentric bushing, 33. See page 1, lines 80-84.

With respect to claim 3, Blaine teaches the second actuating element is a cam ring. See page 1, lines 60-70.

With respect to claim 4, Blaine does not teach that said thrust joint connects said first actuating element to said coupler.

Wadlinger et al. teaches that said thrust joint connects a first actuating element to a coupler, 28. See column 6, lines 41-64 and Fig. 6.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the apparatus of Blaine to include the thrust joint of Wadlinger et al. in order to better control the positioning of the coupler mechanism.

With respect to claims 5-6, Blaine does not teach that said thrust joint is a rotary and thrust joint which has a slot and a joint pin to be rotatably and displaceably guided in said slot.

Wadlinger et al. teaches that said thrust joint is a rotary and thrust joint which has a slot and a joint pin to be rotatably and displaceably guided in said slot. See column 6, lines 41-64 and Fig. 6.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the apparatus of Blaine to include the thrust joint details of Wadlinger et al. in order to better control the positioning of the coupler mechanism.

With respect to claim 7, Blaine does not teach that said applicator roller is associated with said at least one of said form and blanket cylinder as a single applicator roller.

Wadlinger et al. teaches an applicator roll, 11, that is associated with said at least one of said form and blanket cylinder as a single applicator roller. See column 4, lines 47-56 and Fig. 1.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the apparatus of Blaine to have a single applicator roll, as taught by Wadlinger et al., in order to simplify the system.

With respect to claim 8, Blaine teaches a printing press, comprising: an impression cylinder; at least one of a form and a blanket cylinder, 10, 11, an applicator roller, 14; and a device for throwing-on impression and throwing-off impression, said device including: a roller throw-on and throw-off bearing for throwing said applicator roller on and off said at least one of said form and said blanket cylinder, said roller throw-on and throw-off bearing including a rotatably mounted first actuating element; a cylinder throw-on and throw-off bearing for throwing said at least one of said form and

said blanket cylinder on and off said impression cylinder, said cylinder throw-on and throw-off bearing including a rotatably mounted second actuating element; a coupler, 13, forming a coupler mechanism together with said first and said second actuating elements. See page 1, lines 32-107 and the Figures.

Blaine does not teach a thrust joint having a dead thrust travel and articulately connecting one of said actuating elements to said coupler.

Wadlinger et al. teaches a device for throwing-on and throwing-off a press element in a printing press including a thrust joint, 29, having a dead thrust travel and articulately connecting an actuating element to a coupler, 28. See column 6, lines 41-64 and Fig. 6.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the apparatus of Blaine to include the thrust joint of Wadlinger et al. in order to better control the positioning of the coupler mechanism.

Response to Arguments

Applicant's arguments filed July 10, 2007 have been fully considered but they are not persuasive.

In response to applicant's argument that Blaine does not teach a roller throw-on and throw-off bearing for throwing the applicator roller on the blanket cylinder and that this is required by claim 1, it is noted that claim 1 specifically requires "a roller throw-on and throw-off bearing for throwing said applicator roller on and off said at least one of said form and said blanket cylinder". As long as Blaine teaches the use of such a

bearing with respect to the form cylinder, the claim does not require the teaching of the bearing with respect to a blanket cylinder and therefore the limitations of the claim are met by Blaine.

In response to applicant's argument that the elongated hole of Wadlinger is part of a mechanism for adjusting a sheet guiding element and not of a mechanism for adjusting a roller or cylinder, Wadlinger is relied upon merely for the teaching of using a thrust joint having dead thrust travel to connect an actuating element to a coupler. Although, as applicant indicates, Wadlinger does not explicitly teach the use of the thrust joint to move a cylinder, one having ordinary skill in the art would be aware of such joints, as indicated by the teachings of Wadlinger, and would recognize the advantages of using this type of joint with the invention of Blaine.

In response to applicant's argument that the ordinary skilled artisan starting out with Blaine would avoid unnecessary play in the mechanism of Blaine which would be introduced by the mechanism of Wadlinger, this appears to be a matter of conjecture. As mentioned above, one having ordinary skill in the art would be drawn to realize the advantages of the mechanism of Wadlinger and would have the skill to apply them to Blaine in such a way that these advantages would be realized.

Conclusion

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jill E. Culler whose telephone number is (571) 272-2159. The examiner can normally be reached on M-F 10:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2854

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

jec

Jill E. Allen
Patent Examiner